

CITY OF NEWARK

Delaware

REQUEST FOR PROPOSAL (RFP) NO. 17-06

LOBBYING AND INTERGOVERNMENTAL CONSULTANT SERVICES

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PUBLIC NOTICE

The City of Newark, Delaware will accept proposals for RFP No. 17-06 Lobbying and Intergovernmental Consultant Services. Proposals will be received in the Newark Municipal Building, 220 South Main Street, Newark, Delaware 19711 until **2 p.m. on Tuesday, November 7, 2017** and will be publicly read aloud at that time in the Council Chamber of the Newark Municipal Building.

Requests for information or clarification must be made in writing with RFP No. 17-06 in the subject line by Tuesday, October 31, 2017 to Mark Brainard, Assistant to the Managers, 220 South Main Street, Newark, DE 19711 or mbrainard@newark.de.us

Copies of the RFP may be obtained in the City Manager's Office on the second floor of the Newark Municipal Building or on the City of Newark's website at www.newarkde.gov/bids.

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I. BACKGROUND

The City of Newark was originally chartered in 1758 and is the third largest City in the State of Delaware with a population of approximately 33,500 occupying just over 9 square miles. It is home to the University of Delaware, which is currently its largest employer and boasts an award-winning and thriving downtown, an active economic climate with consistently strong development activity, and an abundance of highly rated parks and recreation programs and facilities. Likewise, Newark operates water, electric, sewer, and stormwater utilities for its service territories and staffs an Alderman's Court operation. Newark remains a Home Rule City, operating under the Council-Manager form of government with a non-partisan elected Mayor and Council of seven. For additional information about the City of Newark, the Mayor and Council, and other City departments and agencies, please visit the City's web site at www.newarkde.gov.

By this Request for Proposals ("RFP"), the City of Newark (the "City") is seeking proposals from experienced individuals to provide lobbying services including, but not limited to, representation, information, professional advice, and support services.

II. SCOPE OF WORK

The successful proposer will, in accordance with the highest legal, ethical and professional standards, provide, at the direction of Council via the City Manager, lobbying services to the City of Newark concerning matters before the General Assembly that affect the governance of the City of Newark.

- A. List of Services: please note, this list is intended as a general guide, and is not to be a complete list of all work necessary to provide the requested Services. The successful proposer shall have a demonstrated knowledge and expertise to serve the unique needs of the City of Newark. Lobbying services include, but are not limited to, the following:
1. Personal and written contact with all state legislators pertaining to legislation and other initiatives agreed upon between the chosen lobbyist and the City of Newark.
 2. Attendance at public hearings concerning issues pertinent to Newark initiatives.
 3. Attendance as requested by Council via the City Manager at select Newark Council meetings, boards, and other committees that do not conflict with legislative session days.
 4. Verbal and other communication with Newark Council members as requested by Council via the City Manager.
 5. Assistance in formulating strategy as conveyed from Council via the City Manager concerning legislative initiatives effecting the City of Newark.

6. Attendance as well as oral and written representation before state legislative committees, including the Joint Finance Committee and the Joint Committee on Capital Improvement, concerning issues pertinent to City operations and other initiatives.
7. Attendance as well as oral and written representation before meetings and/or committees of the Executive branch when approved by Council via the City Manager.
8. Nonpartisan attendance at legislative political functions and fundraisers subject to the successful proposer's budget constraints.
9. Serving, with prior approval of Newark City Council via the City Manager, on appropriate state boards and commissions as well as attendance at other Newark committee meetings that interface with Newark's legislative agenda.

B. Reports and presentations:

The successful proposer agrees to provide the following to and for the City of Newark:

1. Regular, written and/or verbal reports in a timely manner on all pertinent legislative matters. This will be provided, at a minimum, at each regularly scheduled City Council meeting or at any other time requested by Council. During the legislative session, it may become necessary to provide additional reports to Council.
2. Written and verbal planning and research projects for the City when requested by Council via the City Manager in compliance with the State Freedom of Information Act.

C. Ethics statement:

1. The successful proposer will not engage in any activities or conduct on behalf of the City of Newark that constitutes a conflict of interest regarding the government services offered by any competing government jurisdiction, agency, or firm; or otherwise is not in the best interest of the City of Newark and the quality of life of its citizens, or its approved comprehensive plan. The conduct of the chosen lobbyist on behalf of Newark will avoid any appearance of impropriety.
2. The governing ethics, rules, regulations, and procedures of the Delaware Public Integrity Commission will be adhered to and govern all actions by the chosen lobbyist on behalf of Newark.

D. Additional Requirements and Information:

1. The contract for the Services shall commence on or about February 1, 2018, and end on or about January 1, 2021. Payment to the successful proposer shall be made, in equal amount, on a quarterly basis.
2. The successful proposer shall be required to:

- a. Furnish all materials, equipment, supplies, supervision, transportation, technology, and other resources as necessary
- b. Provide and perform all necessary labor
- c. Execute and complete all specified work with due diligence, in accordance with best professional practice and the requirements, stipulations, provisions, and conditions of this RFP and the resultant agreement
- d. Obtain any and all required licenses, permits, certificates of registration, or other approvals necessary or required by law or necessary to provide the Services
- e. Comply with all applicable laws, rules, regulations, ordinances, and policies of the State of Delaware and any rules of the Delaware General Assembly

III. PROPOSAL FORMAT AND REQUIRED CONTENT

The submission requirements for this RFP are outlined below. Any proposal that does not comply with these instructions will be deemed non-responsive and may be rejected by the City.

Proposals shall include the following components:

A. Part I: Proposer Qualifications & Expertise

1. The successful proposer will outline recent experience in providing legislative and intergovernmental services, or other related experience, before the legislative and executive branches of the State of Delaware as well as other relevant employment history.
2. The successful proposer will provide the following information:
 - a. Name, business address, telephone and fax numbers, email address of the entity and/or individual that will be the party to the proposed contract.
 - b. Number of years serving as a lobbyist (please include any and all former firm names and years employed, if applicable).
 - c. List of municipalities and other government entities currently or previously served, as well as samples of initiatives.
 - d. Type of ownership (sole proprietorship, partnership, corporation, joint venture, or limited liability company—list state in which incorporated) and parent company, if applicable.
 - e. Disclose whether the proposing entity, or any shareholder, member, partner, officer, or employee thereof, is presently a party to any pending

litigation or has received notice of any threatened litigation or claim, excluding minor traffic matters.

- f. Submitted proposals shall be signed by an individual with authority to bind the proposer. If it is made by a partnership, it shall be signed with the partnership name and by a general partner with the full name and address of the general partner provided. If it is made by a joint venture or limited liability company, it shall be signed with the full name and address of each member thereof.
 - g. Explanation of any exceptions to this RFP being requested. For each exception requested, cite the activity involved, the exception taken, and alternate language. If no exceptions are being requested, please state so.
 - h. Provide a copy of current client list and a report of current or former clients whose interests may either coincide or conflict with the interests of the City. All proposers are advised that any and all legislative agenda, priorities, actions, and needs of the City shall take precedence over any other obligations (contractual or otherwise, direct or indirect). The City expects that the successful proposer shall refrain from undertaking any representation of other parties whose legislative interests are averse to those of the City. The City reserves the right to determine, in its sole discretion, the existence of a conflict of interest or a potential conflict of interest.
 - i. Provide a list of campaign contributions to ensure a conflict of interest does not exist.
 - j. Description how being the lobbyist for the City of Newark will be of benefit to its citizens, government, and overall well-being.
3. State, in detail, specific experience and role in the subject areas listed below and provide examples of similar work performed for other clients. Additionally, please describe the scope and extent of any specialized area or issue of expertise.
- a. Home Rule authority
 - b. Charter changes
 - c. State budget process including experience with the Joint Finance and Capital Improvement Committees
 - d. Payment in Lieu of Taxes (PILOT)
 - e. Public Safety
 - f. Land Use/Zoning
 - g. Water Resources
 - h. Transportation initiatives
 - i. Work Force/Economic Development

- j. Environmental initiatives
 - k. Public Hearing participation
 - l. Legislative relationships/familiarity
 - m. Election Law
 - n. Education/School District
 - o. Outreach and Research
 - p. Introduction of Legislation
4. References, including all contact information, for services provided similar to those requested in this RFP. The City reserves the right to contact references, including those not provided by the proposer.

B. Part II: Engagement Approach/Proposer Resources

1. The submitted proposal shall contain a description of how the proposer intends to provide the outlined services, including, but not limited to, a method or specific approach to client relations, problem-solving, coordinating and disseminating information, finding and building coalitions on specific legislative issues, coordinating input from the City where necessary, and advocacy. The proposal shall also describe the manner in which proposer will create and strengthen relationships between City personnel and legislators and legislative staff.
2. The proposer shall describe the resources applied to this project, including, but not limited to:
 - a. A description of strategic relationships with other organizations (e.g., Delaware Municipal League of Local Governments, State Legislators, NCSL, CSG, etc.)
 - b. A description of professional relationships with applicable state elected officials demonstrating bipartisanship
 - c. Other unique, relevant resources

C. Part III: Proposed Rate of Compensation

The City of Newark is weighing the effectiveness of part-time or full-time Service. Whether the Service needs noted above can be achieved with a part-time arrangement akin to a monitor and report engagement, or if it should retain its current full-time lobbyist engagement with the accompanying level of services is open for discussion. Based upon proposer assessment of the City of Newark, please submit proposed pricing for full-time and part-time levels of Service.

The proposer shall provide a proposed budget, **marked as “Appendix A”**, detailing a comprehensive fee proposal that designates the total flat rate of compensation for a twelve-month term that includes compensation for any and all reasonable out-of-pocket costs and expenses, including, but not limited to, copying, messenger services, telephone and cell phone charges, postage, food, mileage expenses, and

other transportation costs. It is expressly understood and agreed that the obligation of the City to make payments to the successful proposer shall only extend to monies appropriated annually by the City of Newark Mayor and Council and encumbered for the purposes of the Agreement.

IV. SELECTION/EVALUATION

A. Evaluation Process

1. All proposals received by the deadline will be reviewed for responsiveness to the requirements of this RFP. Proposals deemed to be non-responsive may be rejected.
2. The City will conduct reference checks for the finalists.
3. The City shall not be required to accept the lowest proposal in terms of cost, but instead shall have the right to select the most qualified proposer based on all the evaluation criteria established.
4. A selection committee (the "Selection Committee"), designated by the City Manager and to include a maximum of three (3) Council members as appointed by Mayor and Council, will evaluate all proposals found to be responsive to the requirements of this RFP. Each accepted proposal shall be evaluated and ranked by each member of the Selection Committee using the Criteria outlined in section B below.
5. The Selection Committee will provide a recommendation for the fulfillment of this RFP to the Mayor and Council including ranking, engagement fee, and other details of the process.

B. Criteria

Maximum Score	Criteria
50 possible points	Proposer Qualifications and Expertise
45 possible points	Engagement Approach/Proposer Resources
5 possible points	Responsiveness to RFP requirements

V. SUBMISSION REQUIREMENTS

A. Requests for Information/Addenda

Any requests for clarification or additional information regarding this RFP may be submitted in writing by no later than Tuesday, October 31, 2017 to:

Mark Brainard, Assistant to the Managers
220 South Main Street
Newark, Delaware, 19711
Email: mbrainard@newark.de.us
302-366-7000

If it becomes necessary to revise any part of this RFP, an addendum will be issued by the City no later than five (5) days prior to the bid opening.

B. Proposal Changes or Withdrawal

Any proposal may be withdrawn, modified, and resubmitted prior to the bid opening date by written request, signed in the same manner and by the same person who signed the proposal.

C. Proposal Disposition/Proposal Open Record

All proposals and the materials attached submitted in response to this RFP shall become the property of the City at the time of the bid opening. The City reserves the right in its sole discretion to use without limitation, any and all information, concepts, and data contained therein. Any portions of the proposal that the proposer deems confidential must be clearly marked as such.

D. Compliance with Terms and Conditions of RFP

The successful proposer shall comply with all of the specifications, terms, and conditions of this RFP, as outlined herein. Proposers are further required to complete all information requested in this RFP.

E. Rejection of Proposals

The City reserves the right, at its sole discretion, to reject any and all proposals received and to waive informalities and minor irregularities, technical defects, or clerical errors in a proposal received, to accept any portion or all items in the proposal, and award the contract in whole or in part if it is deemed in the City's best interest.

F. Award of Contract

Any contract awarded under this RFP shall be made to the proposer who, in the sole judgment of the City, is best able to provide the full range of the services outlined. All proposals shall remain firm for one hundred twenty (120) calendar days after the opening of proposals.

G. Proposal Content Contractual

All or selected parts of the chosen proposal may become part of the contract if an award of contract is made at the sole determination of the City.

H. Cancellation of RFP

The City of Newark reserves the right, at its sole discretion, to cancel this RFP in whole or in part prior to the execution of a contract.

I. Interview and Contract Requirements

Proposers may be required to participate in an interview(s) upon request. This interview may be held at a public meeting of City Council. The successful proposer will be required to execute a contract with the City.

J. Termination of Agreement

This agreement may be terminated by the City upon thirty (30) days written notice if the contractor fails to perform satisfactorily in accordance with the terms and conditions of the signed contract. In addition, this agreement may be terminated if monies are not appropriated annually by the Mayor and Council for the purposes of this agreement.

VI. SUBMISSION INSTRUCTIONS

The original proposal and four (4) identical copies shall be submitted in a sealed envelope bearing the name and address of the proposer, and plainly marked "RFP No. 17-06 - Proposal for Lobbying and Intergovernmental Consultant Services."

All proposals shall be submitted through certified mail or hand delivery by **2:00 p.m. on Tuesday, November 7, 2017** to the following location:

City of Newark, Delaware
City Manager's Office
Attn: Mark Brainard, Assistant to the Managers
220 South Main Street
Newark, DE 19711

The City is not responsible for late delivery caused by the United States Postal Service or private carriers. Any proposal received after the deadline will be returned unopened.